



NEWS

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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF SEPTEMBER 16, 2002

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#02-156 People v. Smith, S108291. (B146786; unpublished opinion.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case includes the following issue: Does a defendant who is required, under Penal Code section 290, to register as a sex offender and to inform the appropriate authorities in writing within five days of any change of residence address, have the obligation to ensure that written notification of the address change is actually received by the appropriate authorities?

#02-157 Associated Aviation Underwriters, Inc. v. Purex Industries, Inc., S108558. (B149365; 99 Cal.App.4th 400.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. The court ordered briefing deferred pending decision in Henkel Corp. v. Hartford Accident and Indemnity Co., S098242 (#01-80), which presents the following issue: Is a successor corporation entitled to coverage under a predecessor corporation's liability policies for claims accruing before transfer of the business to the successor if the policies were not assigned to the successor and the predecessor cannot be sued on the claims?

#02-158 People v. Hayes, S108862. (C032730; unpublished opinion.) Petition for review after the Court of Appeal reversed and remanded for resentencing and

(over)

otherwise affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Barragan, S105734 (#02-80), which presents the following issue: Do the doctrines of res judicata or law of the case bar retrial of prior conviction allegations after a reversal on appeal for insufficient evidence?

#02-159 People v. Sizemore, S108717. (B147365; 99 Cal.App.4th 546.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in People v. Reliford, S103084 (#02-23), which presents the following issues: (1) Does CALJIC 2.50.01 (1999 rev.) correctly instruct on the burden of proof where evidence of prior sexual offenses is admitted under Evidence Code section 1108; and (2) if not, is the error subject to review for harmless error and what is the applicable standard of review?

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